



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext 116
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Minutes
May 25, 2010

APPROVED

Present:

BM: Brian Martin **JN:** John Nappi **JK:** Jeff Kablik **JE:** Jerry Earl **LG:** Lucy Gertz
MM: Matt Marro, Conservation Director **Pam Berman:** Admin. Assistant

Absent:

ES: Ed Smith

7:00pm Meeting opened by Jeff Kablik

7:02pm **5 Sleepy Hollow Lane (M25, P58, L2) – Request for Determination of Applicability**, for the installation of a 14' x 16' shed.

JN: Motion to waive the reading of the abutters list.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

JN: Motion to waive the reading of the legal ad.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

Homeowners Roger & Dianne Larose appeared before the Commission regarding the existing 14' x 16' shed. MM reported that this is a retroactive filing in response to a wetlands violation that was heard at the April 13th meeting. The work is within the buffer zone but it does not infringe on the 50' no build or 30' no touch zones and recommends a negative determination.

BM: Motion to close the public portion of the hearing

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

BM: Motion to issue a Negative Determination for a 14' x 16' shed.

LG: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

7:10pm Pawtucket Blvd. (Rte. 113) (M21/P41; M27/P11 & 74; M28/P115) – DEP# 309-0836, Notice of Intent for the proposed repair & resurface of 4 miles of roadway, repairs to 3 deteriorated culvert headwall structures, and the maintenance/stabilization of 2 roadway embankment areas.

JE: Motion to waive the reading of the abutters list.

JN: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

JE: Motion to waive the reading of the legal ad.

JN: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

Andrea Norton from the Massachusetts Department of Transportation, Highway Division appeared before the Commission to explain the repaving project slated for 4 miles of Pawtucket Blvd. This project will be 100% federally funded. Ms. Norton explained that the project encompasses re-paving the roadway with upgrades and repairs. In addition, 2 roadway embankments which have eroded would be re-stabilized, and 3 deteriorated culvert headwalls would be repaired. It was asked how much of each culvert would be repaired. Ms. Norton explained that only the extension pipe and the face of the culvert would be repaired. JN had serious concerns regarding the level of deterioration of the culverts since there have been past repair jobs on Pawtucket Blvd. that have expanded into complete replacements due to the damage that was discovered during construction. He went on to ask how the State knows for certain whether or not a culvert has more damage than appears on the surface. Ms. Norton explained that during the inspection phase of the project, a camera was used to view inside the entire culvert in order to ascertain the extent of the damage. MM suggested that the 3 culverts slated for repair be examined and certified by an engineer that they are working properly. He went on to suggest that this condition be applied to the Order of Conditions. BM asked Ms. Norton to explain where the pavement will begin and end, and how it affects the Pawtucket Blvd. re-alignment project still being designed. Ms. Norton said that the pavement project would begin just before the Colony Heights apartment complex and end at the Lowell/Tyngsborough town line. She went on to state that this project will not interfere with the re-alignment project, but link to the end of that project when it's completed.

JE: Motion to close the public portion of the hearing

JN: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

JN: Motion to issue a Standard Order of Conditions for the repair & resurfacing of 4 miles of roadway, repairs to 3 deteriorated culvert headwalls, and the maintenance/stabilization of 2 roadway embankment areas with the condition that the State fully inspect and engineer certify that the 3 culverts are working properly.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

Director's Determination Reports

16 Bridget Avenue – Proposed construction of a deck: MM reported that this project is just inside the buffer zone but contains no re-grading and would not impact the wetlands.

39 Highland Street – Proposed construction of a deck: MM reported that this project is just inside the buffer zone but contains no re-grading and would not impact the wetlands.

Westford Road Culvert – MM reported that the Tyngsborough Highway Department is proposing to repair a culvert that is crumbling. MM showed some pictures that were provided by the Highway Dept. that showed the extent of the damage. MM said that the job should take about 2 days.

BM: Motion to approve the Directors Determinations for 16 Bridget Avenue, 39 Highland Street, and the Westford Road Culvert.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Minutes/Sign Forms/Other Business

The minutes from the April 13 & 27, 2010 meetings cannot be approved as the members who attended that meeting were not present at tonight's meeting to vote.

LG asked MM to look into a resident inquiry concerning the possibility of a disc golf course being built on the Barr Property. She explained that previous Conservation Director Lori Capone had started looking into this, but hadn't reported any results to the Commission. Recently, the same resident approached LG about re-visiting the possibility of moving ahead with the disc golf course idea. MM said that he would do some research on the subject.

8:15pm BM: Motion to adjourn

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

Respectfully submitted

Pamela Berman, Administrative Assistant